

# **EXHIBIT 20**

VERBATIM REPORT OF PROCEEDINGS; January 10, 2017

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2 CITY OF SEATAC

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APPEAL OF AN ADMINISTRATIVE DECISION

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THE FIRS MOBILE HOME PARK RELOCATION PLAN

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FIFE MOTEL, INC.

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)  
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No. APL 0001

Applicant.

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PROCEEDINGS BEFORE HEARING EXAMINER

12

THE HONORABLE STEPHEN K. CAUSSEAX, JR.

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6:00 p.m.  
January 10, 2017

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PROCEEDINGS TRANSCRIBED BY: JACQUELINE L. BELLows, CCR 2297

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2 Seatac, Washington; January 19, 2017

3 6:00 p.m.

4 --oo--

5

6 THE HEARING EXAMINER: Good evening, ladies  
7 and gentlemen. We will convene the agenda for Thursday  
8 January 19th and consider the matter that's scheduled  
9 for 6:00 o'clock. And that is Case number -- it's an  
10 administrative appeal, Case No. APL 16-1.

11 Before we go any farther, I want to swear in  
12 our interpreter this evening so he can interpret my  
13 introductory remarks. Mr. Potts, do you want to raise  
14 your right hand, please. Would you identify yourself  
15 for the record.

16 THE INTERPRETER: Good evening. My name is  
17 Samuel Potts. I am a Washington State court certified  
18 Spanish interpreter for the Spanish language. I have  
19 been sworn and have an oath on file with the Washington  
20 AOC.

21

22 Samuel Potts,

23 sworn as a Spanish language interpreter  
24 by the hearings examiner.

25



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1 THE HEARING EXAMINER: The appeal of APL 16-1  
2 is of a decision of the acting community and economic  
3 development director to approve a mobile home park  
4 relocation plan for the Firs Mobile Hope Park that is  
5 located at 20440 International Boulevard. The appellant  
6 in the matter is Crisanto Medina, and he is represented  
7 by attorney Vincente Omar Barraza.

8 For the record, my name is Steve Causseaux.  
9 I'm the City of Seatac hearings examiner. Do you want  
10 to -- okay. Go ahead.

11 (Brief off-record discussion.)

12 THE HEARING EXAMINER: Then I'll just start  
13 with my name again. Okay. All right.

14                   My name is Steve Causseaux. I'm the City of  
15 Seatac hearings examiner. I am an attorney in the  
16 private practice of law with the law firm of McCarthy  
17 and Causseaux that is located at 902 South Tenth in  
18 Tacoma. If anyone knows of a reason why I should not  
19 hear the matter this evening, please indicate, otherwise  
20 we will go ahead and proceed.

21                   The way we will proceed, then, is we will  
22 first hear a presentation from the city Department of  
23 Community and Economic Development. Then we will see if  
24 the property owner Fife Motel, Inc., has anything they  
25 wish to present. Following that, we will hear testimony



1 from the appellant and those that the appellant wishes  
2 to call as a witness. If you are present and you are  
3 not planning on being called by the appellant, it will  
4 be necessary for you to be called by one of the  
5 attorneys, whether it be the city or the property owner,  
6 since this is an appeal and the parties to the appeal  
7 are Mr. Medina, the home owners, and the city.

8 Mr. Barraza?

9 MR. BARRAZA: Mr. Hearings Examiner, I just  
10 wanted to confirm for the record -- and you alluded to  
11 this just now -- that the appellants are Crisanto Medina  
12 and the Firs Mobile Home Park. Thank you.

13 THE HEARING EXAMINER: Then we can go ahead,  
14 then, with the city's presentation.

15 UNIDENTIFIED SPEAKER: Are you going to swear  
16 us in, Mr. Examiner?

17 THE HEARING EXAMINER: When she calls you as a  
18 witness.

19 MS. BARTOLO: Before I begin with my opening  
20 remarks, there's a procedural matter.

21 THE HEARING EXAMINER: Can you identify  
22 yourself for the record.

23 MS. BARTOLO: Yes, in fact, I can. Mary  
24 Elizabeth Mirante Bartolo.

25 Anyways, I've talked to both counsel this



1       evening. Mr. Olsen sent us on Tuesday a declaration of  
2       mailing, relocation report, and plan. And it includes  
3       the mailing matrix. We're all stipulating that this can  
4       be admitted. I don't have any objections on behalf of  
5       the city, and Mr. Barraza indicated that he has no  
6       objection to this being admitted.

7                   Is that correct, Mr. Barraza?

8                   MR. BARRAZA: Yes, that's correct.

9                   THE HEARING EXAMINER: Thank you. I think for  
10       now I will mark the city's staff report as Exhibit 1 and  
11       then I will mark Mr. Barraza's reply to the staff report  
12       as Exhibit 2. Then I will mark the most recent  
13       declaration as Exhibit 3. I'll be marking other  
14       exhibits such as the prehearing conference and other  
15       correspondence subsequent to the hearing.

16                   (Hearing Exhibits No. 1-3 marked for  
17                   identification.)

18                   MS. BARTOLO: One more preliminary matter, we  
19       were here on the 5th of January. Mr. Barraza and  
20       Mr. Olsen were not, which is not a problem. I just  
21       didn't know if there was anything you wanted to indicate  
22       that occurred at that time.

23                   THE HEARING EXAMINER: No. The only thing  
24       that occurred at that time is that we continued the  
25       hearing to tonight.



1 MS. BARTOLO: I'm ready to begin.

2 Fife Motel, Inc. is the owner of the Firs  
3 Mobile Home Park located at 20440 International  
4 Boulevard in the City of Seatac. The owner desired to  
5 close the mobile home park to pursue redevelopment of  
6 his property. Pursuant to Seatac Municipal Code  
7 15.465.H, we prepared a relocation plan and submitted it  
8 to the city. The final report and plan was received by  
9 the city on October 7, 2016.

10 On October 17, 2016, Acting CED Director Jeff  
11 Robinson approved the relocation plan. His decision to  
12 approve the plan is the sole issue for consideration in  
13 this appeal. Closure of the Firs Mobile Home Park is  
14 not what this appeal is about and is irrelevant to this  
15 proceeding. In short, the sole issue for you  
16 consider is whether the city followed the code in  
17 approving the plan.

18 The evidence will show that the code was  
19 followed. The burden of proof is on the appellant to  
20 show by a preponderance of the evidence that the city  
21 did not follow the code. Mr. Pilcher will provide brief  
22 testimony. And he can be sworn in any time.

23

24

25



1

STEVE PILCHER,

2

sworn as a witness by the hearings examiner,

3

testified as follows:

4

5

6 MR. PILCHER: My name is Steve Pilcher. I'm  
7 the planning manager for the City of Seatac. I was the  
8 primary staff person working with the mobile home park's  
9 relocation agent in receipt and review of their proposed  
10 mobile home park relocation report and plan. That was  
11 an iterative process. And at the end of that, I  
12 concluded, in conjunction with CED director,  
13 Mr. Robinson, that the plan met the standards of the  
14 Seatac Municipal Code.

15 I was also one of the authors of the staff  
16 report, which was finalized in conjunction with our  
17 legal department. That staff report iterates the  
18 reasons of how we came to the conclusion that the  
19 relocation plan is consistent with the city code. And  
20 we stand on our report. We would like the report, then,  
21 to be considered part of my testimony. Thank you.

22 THE HEARING EXAMINER: Thank you. Do you have  
23 any questions that you want to ask Mr. Pilcher?

24

Please identify yourself for the record.

25

MR. OLSEN: Yes. My name is Walt Olsen, and I



1 represent Fife Motel, Inc., which does business as the  
2 Firs Mobile Home Park.

3

4 CROSS-EXAMINATION

5 BY MR. OLSEN:

6 Q. Mr. Pilcher, when you refer to the Seatac  
7 Code, are you referring to Chapter 15.465 which includes  
8 the mobile home park relocation ordinance?

9 A. That is correct.

10 Q. That ordinance requires a number of elements  
11 in the relocation plan?

12 A. Yes, sir.

13 Q. One of those elements is an inventory of all  
14 the tenants and their mobile homes shall be prepared in  
15 a format established by the department?

16 A. That is correct, sir.

17 Q. And did the Firs Mobile Home Park provide an  
18 inventory of park tenants and their mobile homes?

19 A. Yes, they did.

20 Q. Did the inventory identify park tenants and  
21 information such as age, income, number of years in the  
22 park?

23 A. Yes, it did.

24 Q. Did the inventory include the age and  
25 condition of the mobile home?



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1 A. Yes, it did.

2 Q. Did the inventory include the costs of pad  
3 rental, park utility fees, and other charges?

4 A. Yes, that was part of that inventory.

5 Q. Does another element of a relocation plan  
6 include the environmental conditions element?

7 A. Yes, it requires the preparation of what we  
8 call a SEPA checklist.

9 Q. Was that completed by the Firs?

10 A. Yes, it was.

11 Q. Did the relocation report plan include  
12 options, as identified in sub paragraph C of the  
13 ordinance?

14 A. I assume you're referring to 600.H.2.c?

15 Q. H.1.c, actually.

16 A. Yes, the report did include the listing of the  
17 housing opportunities that might be available in the  
18 area.

19 Q. Did the information also include a list of  
20 low-cost apartments or other low-cost housing in King  
21 County?

22 A. Yes, it did.

23 Q. Did the information include information from  
24 banks concerning first-time home buyers?

25 A. Yes, it did.



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1 Q. Did the information include information from  
2 county or nonprofit entities concerning relocation park  
3 options?

4 A. Yes, it did.

5 Q. Did the relocation report and plan include a  
6 statement of housing preference, based on the available  
7 options, gathered from each mobile home tenant?

8 A. Yes, it did.

9 Q. Did the relocation plan include a statement of  
10 anticipated timing for park closure by Firs Mobile Home  
11 Park?

12 A. Yes, it did.

13 Q. And did the relocation plan provide a  
14 statement of any coordination plans or actions, in  
15 addition to those that you've just testified to,  
16 regarding what actions the park owner intended to take  
17 to minimize the impacts of the park closure?

18 A. Yes, it does.

19 MR. OLSEN: That's all the questions I have.

20 THE HEARING EXAMINER: Mr. Barraza, do you  
21 have any questions?

22 MR. BARRAZA: Yes, Mr. Hearing Examiner, I do.

1

## CROSS-EXAMINATION

3 BY MR. BARRAZA:

4 Q. Mr. Pilcher, did the inventory provided by the  
5 landlord or the owner include data from all of the  
6 households at Firs?

7 A. Yes. We believe that it did, yes.

8 Q. Are you aware of any concerns that families  
9 refused to provide the data?

10 A. We did understand there was difficulty getting  
11 that information from some individuals.

12 Q. Is it true, sir, that the Seatac Municipal  
13 Code Section H.A.3, I believe -- I'll read it if I  
14 may -- states that "The inventory request form shall  
15 clearly state to tenants that the disclosure of age,  
16 income, and housing costs is voluntary and that the  
17 purpose of requesting the information is to assess the  
18 impact of the proposed closure."

19                   Would you agree that, as I've summarized it,  
20 would you agree that that's essentially what that  
21 provision requires?

22 A. Yes. That's -- just for clarification of the  
23 for the record, that is a paragraph following  
24 15.465.600.H.1.iii, small Roman numeral three.

25 Q. Thank you. Do you know if the inventory



1 request form provided that disclaimer to the tenants?

2 A. I don't recall that it did.

3 Q. Thank you. Was the inventory form translated  
4 into Spanish?

5 A. No, it was not.

6 Q. Are you aware of any of the correspondence  
7 that the owner sent to the families prior to the  
8 approval of the relocation plan?

9 A. We do have a copy of a letter sent in early  
10 May of 2016.

11 Q. I have a few questions about that if I may.

12 MR. BARRAZA: Mr. Hearing Examiner, I have  
13 copies of that letter that we could submit as exhibits.  
14 I do believe it is in the record already. But I did  
15 bring copies of that letter if you'd like to mark it.

16 THE HEARING EXAMINER: Since you've referred  
17 to it specifically, we'll go ahead and mark it Exhibit 4.

18 MR. BARRAZA: May my paralegal approach?

19 THE HEARING EXAMINER: Sure.

20 I'll mark the May 8th letter as Exhibit 4.

21 (Hearing Exhibit No. 4 marked for  
22 identification.)

23 MS. BARTOLO: Just so we're clear, this is  
24 also Exhibit 4 to the staff report which you've now  
25 marked as, I think, Exhibit 1.



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1                   MR. BARRAZA: Mr. Pilcher, the document marked  
2 as Exhibit -- I'm sorry -- as Exhibit 4, is this the  
3 letter that you're referring to?

4                   A. Yes, sir.

5                   Q. Would you agree that SeaTac Municipal Code  
6 15.465.600.H.2.b requires the owner "to notify in  
7 writing all affected park tenants and the department  
8 that the owner's beginning the process of preparing a  
9 mobile home relocation plan"?

10                  A. That is what the code states, yes.

11                  Q. Does the city consider the May 8th letter to  
12 fulfill the notice requirement that I just read to you?

13                  A. Let me pause for a minute. (Reviewing  
14 document.) Yes, we did consider that to be adequate.

15                  Q. Did the city verify that all of the affected  
16 tenants received that notice?

17                  A. No, we did not.

18                  Q. Did the owner notify the city in writing that  
19 it was beginning the process of preparing a mobile home  
20 relocation plan?

21                  A. Well, they did by us getting receipt of this  
22 letter of May 8th.

23                  Q. Do you know if the owner translated the  
24 May 8th letter into Spanish?

25                  A. I do not know.



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1           Q.     It's my understanding that SeaTac Municipal  
2 Code 15.465.600.H.2.b states, quote: "The department  
3 shall schedule a meeting with tenants to inform them of  
4 the owner's proposal for the property, the requirements  
5 of the mobile home relocations standards as contained  
6 herein, and the proposed time line for the process."

7           Do you know that to be a true statement with  
8 respect to the code?

9           A.     Yes, it is.

10          Q.     Did the department schedule a meeting with the  
11 tenants to inform them of the owner's proposal for the  
12 property?

13          A.     We did not schedule a meeting ourselves. We  
14 attended a meeting that was scheduled by the mobile home  
15 park about relocation data.

16          Q.     Do you know what -- when that meeting  
17 occurred?

18          A.     Sure. It is in early July.

19          MR. BARRAZA: Mr. Hearing Examiner, I'd like  
20 to ask that a letter dated July 7th be marked as  
21 Exhibit 5.

22          THE HEARING EXAMINER: Is that also presently  
23 in the records?

24          MR. BARRAZA: It is also in the record, I  
25 believe.



1 THE HEARING EXAMINER: We'll go ahead and mark  
2 it Exhibit 5.

3 (Hearing Exhibit No. 5 marked for  
4 identification.)

5 Q (By Mr. Barraza) Mr. Pilcher, referring to the  
6 exhibit marked as No. 5, did you see that letter prior  
7 to this meeting -- prior to this hearing?

8 A. I do not recall.

9           Q.    This letter, I would submit to you, states  
10          that a meeting occurred on Monday, July 11th.  Is that  
11          correct?

12 A. I did attend a meeting on Monday July 11th.

13 Q. Did you attend that meeting with a Spanish  
14 language interpreter?

15 A. Could you repeat the question.

16 Q. Did you attend the meeting with a Spanish  
17 language interpreter?

18 A. There was a Spanish language interpreter  
19 present.

20 Q. Did the city pay for that interpreter?

21 A. No, we did not.

22 Q. Was the July 11th letter translated into  
23 Spanish?

24 A. Not that I'm aware of.

25 Q. Did the city ask that the letter be



1 translated?

2 A. No, we did not.

3 Q. I would submit to you, sir, that this letter  
4 states that an open house was held at the residence on  
5 May 14, 2016. I want to assume that that is true. It's  
6 my understanding that that occurred on May 14th. Is  
7 that your understanding?

8 A. Yes, I do understand that.

9 Q. Is it true that the first relocation plan was  
10 submitted to the city on May 27th?

11 A. I believe that's correct. I'll check my  
12 dates.

13 Q. Assuming the accuracy of the May 14th letter,  
14 did the city ever question whether the owner could  
15 complete the inventory and gather relocation preferences  
16 in approximately 14 days from nearly 70 families?

17 A. Well, we were aware of time the difference,  
18 yeah.

19 Q. I would submit to you as well that the letter  
20 states that one-on-one meetings were held with the  
21 residents after the May 14th meeting. So my question to  
22 you is did the city verify that one-on-one meetings were  
23 held with the residents between May 14th and May 27th of  
24 2016?

25 A. No, we did not.



1           Q.    I want to ask a couple of questions, if I  
2 might, about the SEPA, S-E-P-A, process.  Is it true  
3 that the city issued a determination of nonsignificance?

4           A.    Yes, we did.

5           Q.    Was a notice issued by the city regarding its  
6 determination of nonsignificance?

7           A.    Yes, it was.

8           Q.    Was that notice translated into Spanish?

9           A.    No, it was not.

10          Q.    Did the city ever determine whether or not  
11 that notice was served on all of the residents?

12          A.    No, we did not.  It's not a requirement of our  
13 code.

14          Q.    Is it true, though, that the SEPA checklist is  
15 an integral part of the relocation plan?

16          A.    It is a required part.  Yes, it is.

17          Q.    But it was not provided to the residents?

18          A.    It is a public document, available for review  
19 at city offices.

20           MR. BARRAZA:  I have a couple of questions,  
21 before I wrap up, regarding the city's approval letter,  
22 dated October 17th, 2016.  That, too, is part of the  
23 record.  And perhaps the city attorney knows exactly  
24 which exhibit that is.  I have additional copies as  
25 well.



1                   Would you like to mark it, or should we  
2 identify it?

3                   THE HEARING EXAMINER: For convenience, why  
4 don't we go ahead and mark it.

5                   MR. BARRAZA: May my paralegal approach?

6                   MS. BARTOLO: It's Exhibit 2 of the staff  
7 report. And it's the letter dated October 17, 2016.

8                   THE HEARING EXAMINER: We'll mark the  
9 October 17th letter as Exhibit 6.

10                  (Hearing Exhibit No. 6 marked for  
11 identification.)

12                  Q        (By Mr. Barraza) Is that your signature on  
13 that document, sir?

14                  A.      Yes, it is.

15                  Q.      My first question about this letter is was  
16 this letter translated into Spanish?

17                  A.      No, it was not.

18                  Q.      Can you explain why the letter references  
19 SeaTac Municipal Code 15.464.600.H.2.f?

20                  A.      That was a scribner's error.

21                  Q.      May I interpret that to mean that that code  
22 does not actually exist?

23                  A.      That is correct.

24                  Q.      Do you know if this letter was delivered to  
25 the residents?



1           A. I personally mailed it to the list of  
2 residents provided to us in the relocation report.

3           Q. With respect to the relocation plan that this  
4 letter approved, did you instruct the owner to translate  
5 it into Spanish?

6           A. We asked the owner's agent to have the front  
7 portion of the relocation report translated into  
8 Spanish.

9           Q. And just to confirm, what is included in the,  
10 if I'm not mistaken, front portion -- I don't want to  
11 put words in your mouth -- of the plan?

12          A. It is the main body of the plan which is then  
13 followed by copies of information from the numerous  
14 resources regarding housing options and financing and  
15 the other things we've discussed earlier this evening.

16          Q. Do you know who paid for that translation?

17          A. The city billed the mobile home park owner for  
18 that translation -- or excuse me. I misspoke. They  
19 paid for the original translation, themselves.

20          Q. Do you know why only the relocation plan was  
21 translated? I'm sorry. I withdraw that. Let me ask  
22 the question a different way.

23           Can you explain why the city did not require  
24 the owner to translate the May 8th letter, the  
25 October 17th letter, and the July 7th letter into



1 Spanish?

2 A. We felt the relocation plan was important to  
3 be translated. The other correspondence you referred  
4 to, obviously we did not have translated. There is no  
5 requirement to do so pursuant to our codes. And again,  
6 our concern was that the plan itself is available in  
7 Spanish.

8 MR. BARRAZA: Mr. Hearing Examiner, I have no  
9 further questions of this witness at this time.

10 THE HEARING EXAMINER: City, do you have any  
11 questions?

12

13 DIRECT EXAMINATION

14 BY MS. BARTOLO:

15 Q. Mr. Pilcher, you've testified that the  
16 October 17th, July 7th, and the May 8th letter was not  
17 translated in Spanish; correct?

18 A. That is correct.

19 Q. You indicated that it's because it was not  
20 required by the code; correct?

21 A. That is correct.

22 Q. Did you -- you've also indicated that you  
23 voluntarily asked or required the park owner to  
24 translate the plan into Spanish; is that correct?

25 A. We asked the park owner to have it translated



1 into Spanish, and they complied with our request.

2 Q. Please explain the process you went through to  
3 get the plan translated.

4 A. Staff asked the park owner's agent to have the  
5 plan translated. Upon receipt of that translated  
6 version, we hired a third-party translator to verify its  
7 accuracy. That translator opted to retranslate the plan  
8 from the original English, feeling that it provided a  
9 more accurate translation. And that is the version  
10 contained in the final plan that was approved by the  
11 city.

12 MS. BARTOLO: Nothing further.

13 THE HEARING EXAMINER: Mr. Olsen, do you have  
14 anything further?

15 MR. OLSEN: No.

16 THE HEARING EXAMINER: I have one question,  
17 Mr. Pilcher. I just want to clarify your testimony to  
18 make sure I understood one part of it. This is from  
19 your testifying regarding the SEPA notice. Was it your  
20 testimony that the SEPA checklist was sent to each  
21 tenant in the mobile home park?

22 THE WITNESS: No. It was -- the site was  
23 posted with a public notice board --

24 THE HEARING EXAMINER: I guess --

25 THE WITNESS: -- with a copy of the SEPA



1 determination.

2 THE HEARING EXAMINER: I'm looking at  
3 subsection 2, paren D. And the first sentence requires  
4 the mobile home park owner to complete a SEPA checklist.  
5 Then the second sentence says: "A copy of the SEPA  
6 checklist shall be sent to each tenant of the mobile  
7 home park."

8 THE WITNESS: 2? Excuse me, sir.

9 THE HEARING EXAMINER: It's under "Required  
10 Processes," H.2.d, little d.

11 THE WITNESS: Correct. It is not clear,  
12 according to the code, whether that is the park owner's,  
13 the applicant's, responsibility or the responsibility of  
14 the city to send that out prior to us making a SEPA  
15 determination.

16 THE HEARING EXAMINER: The SEPA -- the city,  
17 does the city in its other SEPA determinations provide  
18 notice? Or is that left to the project applicant?

19 THE WITNESS: We provide notice once a SEPA  
20 determination has been made. Other than state agencies  
21 that are on our primary SEPA distribution list who  
22 receive a copy of the both the checklist and the  
23 determination, our standard practice is, once a  
24 determination is made, the determination is sent to  
25 parties of interest.



1 THE HEARING EXAMINER: Do you know if the  
2 mobile home park owner sent a copy of the SEPA checklist  
3 to each tenant?

4 THE WITNESS: I do not know.

5 THE HEARING EXAMINER: All right. Thank you.

6 MR. BARRAZA: May I ask one question?

7 THE HEARING EXAMINER: Yes.

9 | RECROSS-EXAMINATION

10 BY MR. BARRAZA:

11 Q. Mr. Pilcher, did anyone appeal the SEPA  
12 determination of the city?

13 A. No, there was no appeal.

14 MR. BARRAZA: That's all. Thank you.

15 THE HEARING EXAMINER: Does the city have  
16 anything further it wishes to present?

17 MS. BARTOLO: No, thank you.

18 THE HEARING EXAMINER: Mr. Olsen, does the  
19 mobile home park have anything it wishes to present?

20 MR. OLSEN: No.

21 THE HEARING EXAMINER: Mr. Barraza, we've been  
22 going for a half hour. Mr. Potts, do you need a little  
23 break?

24 THE INTERPRETER: The interpreter would  
25 appreciate a little recess, yes, your honor.

## VERBATIM REPORT OF PROCEEDINGS; January 10, 2017

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1 THE HEARING EXAMINER: Let's take about a  
2 couple minutes here and give Mr. Potts a rest. Then,  
3 Mr. Barraza, you can call your first witness.

4 MR. BARRAZA: Thank you.

5 (Recess taken.)

6 THE HEARING EXAMINER: Mr. Barraza, do you  
7 want to call your first witness?

10 MR. MEDINA: My name is Crisanto Medina. I  
11 live at Firs Mobile Home Park.

12  
13 CRISANTO MEDINA

14 sworn as a witness by the hearings examiner,  
15 testified as follows:

16  
17                   MR. BARRAZA: I just have a few brief  
18 questions for Mr. Medina.

19 THE INTERPRETER: For the record, this is  
20 Crisanto Medina. The spelling is C-R-I-S-A-N-T-O, last  
21 name, Medina, M-E-D-I-N-A.

1

2 DIRECT EXAMINATION

3 BY MR. BARRAZA:

4 Q. Mr. Medina?

5 A. Yes.

6 Q. You live at Firs Mobile Home Park; is that  
7 correct?

8 A. Yes.

9 Q. And are you president of the First Homeowner  
10 Association?

11 A. Yes.

12 Q. I have a few brief questions for you.

13 A. Yes.

14 Q. I want to start with a letter dated May 8,  
15 2016. Of course now we need to find it. I believe this  
16 was marked as Exhibit 4. We're going to hand the  
17 exhibit to the witness.

18 Have you seen, Mr. Medina, this letter before?

19 A. Yes.

20 Q. I believe it said that there's an open house  
21 for residents on May 14th. Is that correct?

22 A. Yes.

23 Q. Did you attend that meeting?

24 A. On May 4th?

25 Q. May 14th, I believe.



VERBATIM REPORT OF PROCEEDINGS; January 10, 2017

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1 A. May 14the, yes.

2 Q. Did you understand that letter dated May 8,  
3 2016?

4 A. No.

5 Q. Did you fail to understand it because it was  
6 in English?

7 A. Yes. Because it was in English, I did not  
8 understand it.

9 Q. How did you know to go to the meeting?

10 A. I went because they put this piece of paper up  
11 on the door.

12 Q. So you heard about the meeting or knew about  
13 the meeting?

14 A. I didn't know, but I was informed of it.

15 Q. And the next thing I want to ask you about,  
16 sir, is a letter dated July 7, 2016. I believe this was  
17 marked as Exhibit 5. Have you seen this letter before?

18 A. Yes.

19 Q. Did you understand the letter?

20 A. No.

21 Q. Earlier we were talking about a document or a  
22 process called SEPA, S-E-P-A.

23 MR. BARRAZA: And I believe I have a copy of  
24 the determination of nonsignificance. This should be in  
25 the record, sir. But we also brought copies if you'd



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1 like to mark it.

2 THE HEARING EXAMINER: We'll mark the SEPA DNS  
3 as Exhibit 7.

4 MR. BARRAZA: May she approach?

5 THE HEARING EXAMINER: Yes.

6 (Hearing Exhibit No. 7 marked for  
7 identification.)

8 Q (By Mr. Barraza) Mr. Medina, have you seen  
9 this letter before?

10 A. It was left in front of my house.

11 Q. Do you know when you received it?

12 A. I don't remember.

13 Q. Do you know what it says?

14 A. No.

15 Q. Did anyone ever inform you that you had 14  
16 days to appeal the decision that the city made in this  
17 letter?

18 A. No.

19 Q. I want to take you back briefly to the open  
20 house in May. Do you remember that meeting?

21 A. Yes.

22 Q. My understanding is that the residents at the  
23 meeting were asked to complete an inventory. Is that  
24 correct?

25 A. Yes.



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31

1 Q. Was that inventory in Spanish?

2 A. No.

3 Q. Do you know if people refused to fill out that  
4 form?

5 A. Yes.

6 Q. Could you give us an estimate of how many?

7 Was it more than 20?

8 A. More than 30.

9 Q. Did anyone ever inform you in writing or  
10 verbally --

11 A. No.

12 Q. Let me finish the question.

13 Did anyone ever inform you that the purpose of  
14 the inventory was to assess the impact of closing this  
15 park?

16 A. Yes.

17 Q. Was that verbally or in writing?

18 A. In writing.

19 Q. On the inventory form?

20 A. Yes.

21 Q. Was that in English or Spanish?

22 A. In English.

23 Q. Did anyone ever verbally tell you the reason  
24 for the inventory?

25 A. No.



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1 Q. Did anyone explain that the information was  
2 voluntary?

3 A. No.

4 Q. Did anyone ever tell you that the information  
5 would be confidential?

6 A. No.

7 Q. Do you recall receiving a letter dated  
8 October 16th, closing the park?

9 A. Yes.

10 Q. Was that document in Spanish?

11 A. No.

12 Q. Was there a Spanish language interpreter at  
13 the May 14th meeting, the open house?

14 A. No.

15 Q. Was there an interpreter at the July 11th  
16 meeting that Mr. Pilcher from the city attended?

17 A. No.

18 Q. Wasn't -- I understood that there was a young  
19 woman that was translating.

20 A. Yes, there was. But she wasn't translating  
21 well, and there wasn't documentation.

22 Q. Were you confused by what she was saying?

23 A. Yes.

24 Q. Was it because she didn't speak Spanish well?  
25 Or was it that she didn't understand what was being said



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1       in English? I just want to be more precise about what  
2       exactly was difficult about understanding her.

3       A.    We didn't understand her.

4       Q.    Were you the only one that felt that way?

5       A.    No.

6       Q.    Did you receive the relocation plan?

7       A.    No.

8       Q.    The relocation plan was the big document that  
9       came with the October 7th letter, I believe.

10      A.    No.

11      Q.    Do you know if the relocation plan was  
12     received by other people?

13      A.    Yes.

14      Q.    Did you see the relocation plan?

15           MS. BARTOLO: I need to object. I at least  
16     want to put this on the record.

17           THE HEARING EXAMINER: Go ahead.

18           MS. BARTOLO: I just want to be heard on this.  
19     The relocation plan, at this point this appeal is about  
20     whether the plan was approved and whether it followed  
21     the steps. Now, you're talking about what happened  
22     after that approval. I'm just bringing this your  
23     attention that we're beyond what is the scope of this  
24     appeal, from my perspective, from the city's  
25     perspective.



1                   THE HEARING EXAMINER: My understand is that  
2 the question was whether he received it or not.

3                   MS. BARTOLO: Correct. The action being  
4 appealed is whether --

5                   THE HEARING EXAMINER: Oh, I see what you  
6 mean.

7                   MS. BARTOLO: -- the proper steps were  
8 followed in approving. I just want to note my objection  
9 for the record.

10                  THE HEARING EXAMINER: I understand. Yes.  
11 Thank you.

12                  MS. BARTOLO: Thank you.

13                  THE HEARING EXAMINER: Go on.

14                  MR. OLSEN: The Firs would join in the city's  
15 objection and also identify the statute that provides  
16 for the scope of this review at SMC 15.465.600, sub  
17 paragraph H.2.e. That statute provides: "The  
18 department shall review the relocation plan to ensure  
19 compliance with the requirements of subsection H.1 of  
20 this section." Subsection H.1 is the required elements  
21 of the plan, on which I examined Mr. Pilcher.

22                  Subsection 2 is titled "Required Process."  
23 But this section requires the department to review the  
24 relocation plan to ensure compliance with the required  
25 elements portion of the statutes. So even testimony as



1 to sub paragraph H.2, the process, is not governed by  
2 this statute which provides for this review and the  
3 statute which follows it, which provides that "Once it  
4 is determined that the requirements of Subsection A of  
5 this section have been met, the director of the  
6 department shall issue a decision on the relocation plan  
7 based on the impacts of the proposed action.

8 So the Firs would ask that evidence be limited  
9 to required elements of the plan as provided for in the  
10 code. Thank you.

11 MR. BARRAZA: If I may weigh in, please. The  
12 question was not asked with respect to process of  
13 service but to lay the foundation for my next question.

14 THE HEARING EXAMINER: Go ahead.

15 MR. BARRAZA: My question -- and for the  
16 record I do want to point out that he did see it. I'm  
17 not asking whether or not he received it. He did see  
18 it. The city went to apparently some trouble to make  
19 sure that it got retranslated so that it was understood  
20 or that it could be understood. That is my question.

21 Q (By Mr. Barraza) Did you understand the  
22 Spanish language translation of the relocation plan?

23 A. No.

24 Q. Were there parts of the plan in Spanish that  
25 were cut off?



1 A. Uh-huh.

2 Q. As a result, my question is -- I'm asking the  
3 same question, and I just want to confirm. You had  
4 trouble understanding it; is that correct?

5 A. Yes.

6 MR. BARRAZA: Thank you. Those are all of the  
7 questions I have for Mr. Medina.

8 THE HEARING EXAMINER: Thank you, Mr. Medina.

9 THE WITNESS: Thank you.

10 MR. BARRAZA: I'd like to Juan --

11 THE HEARING EXAMINER: Excuse me a second.

12 Wait; wait; wait.

13 MS. BARTOLO: I have a couple questions.

14 THE HEARING EXAMINER: As Mr. Medina is the  
15 appellant, I'll allow you to ask him. But I don't want  
16 to discourage people from speaking in thinking they  
17 might be cross-examined.

18 MS. BARTOLO: Right.

19 THE HEARING EXAMINER: But since Mr. Medina is  
20 the appellant, go ahead.

21

22

23

24

25



1

## CROSS-EXAMINATION

3 BY MS. BARTOLO:

4 O. Mr. Medina, good evening. I'm just curious.

5 I want to understand why you testified that you had  
6 trouble understanding the Spanish version of the  
7 relocation plan. Why was that?

8 A. Because it wasn't well written, the Spanish.

9 MS. BARTOLO: Thank you.

10 THE HEARING EXAMINER: Okay. Anything?

11 MR. OLSEN: No.

12 THE HEARING EXAMINER: Thank you, Mr. Medina.

13 MR. BARRAZA: I have one more witness I'd like  
14 to call, a representative of the tenant's union.  
15 There's two representatives here. I believe it's  
16 Helena. I'm calling Helena Benedict. Ms. Benedict, if  
17 you could, introduce yourself for the record.

18 THE HEARING EXAMINER: Let me have her swear  
19 herself in first.

20

21 HELENA BENEDICT

22 sworn as a witness by the hearings examiner,

23 | testified as follows:

24

25 MS. BENEDICT: My name is Helena Benedict.



1 I'm from the tenants union in Washington, here to  
2 support Mr. Medina and the Firs Homeowner Association.  
3 In the interests of time, I won't speak. But I have a  
4 testimony I'd like to deliver if I may.

5 THE HEARING EXAMINER: Yes.

6 (Brief off record conversation.)

7 THE HEARING EXAMINER: Do you want to bring it  
8 forward? Our next number is at 8. Thank you. I'll  
9 mark -- do you happen to have extra copies for either  
10 Mr. Olsen or the city? We can get a copy after the  
11 hearing.

12 (Hearing Exhibit No. 8 marked for  
13 identification.)

14 MR. BARRAZA: I have no further questions of  
15 this witness.

16 THE HEARING EXAMINER: Thank you. Do you  
17 have -- you don't have any additional witnesses you can  
18 call?

19 MR. BARRAZA: I'm not calling any other  
20 witnesses. But we do have a long list of families who  
21 reside at Firs Mobile Home Park that would like to  
22 illuminate some of the issues that we raised in our  
23 appeal.

24 THE HEARING EXAMINER: Then we will hear  
25 testimony from residents of the Firs Mobile Home Park



1 that are also members of appellant Homeowners'  
2 Association. You don't have any particular order. So  
3 whoever wants to speak, can come forward.

4 MR. BARRAZA: I believe that the interpreter  
5 has a list. And I don't see any reason why we can't  
6 just follow that list.

7 THE HEARING EXAMINER: If we have a list, then  
8 I'll just have you just call out the list. If person  
9 doesn't want to speak, just let us know.

10 MS. BARTOLO: Mr. Hearing Examiner, I have  
11 another procedural issue. The last witness who  
12 testified handed you up some documents that none of us  
13 counsel have been provided. So we don't know the  
14 contents of those statements.

15 THE HEARING EXAMINER: Why don't I just give  
16 it to you. And you can either, at a break, make a copy  
17 or just look it over, see if you and Walter Olson have  
18 any objections.

19 MR. BARRAZA: I've not seen any of that as  
20 well.

21 THE HEARING EXAMINER: Okay. I think we can  
22 go ahead, then, if you want to call the first speaker.

23 THE INTERPRETER: Yes, your honor. The first  
24 speaker I have on the list is Irene Cruz.

25 MS. BARTOLO: One more procedural thing before



1 this witness testifies, there's been some testimony that  
2 certain letters -- the May 8th letter, the July 7th  
3 letter, the October 17th letter -- and the SEPA notice,  
4 which is the determination of nonsignificance of  
5 July 22nd, that those have not been translated in  
6 Spanish. In the interests of time, we stipulate that  
7 they were not translated into Spanish.

8 THE HEARING EXAMINER: Thank you.

9

10 IRENE CRUZ

11 sworn as a witness by the hearings examiner,  
12 testified as follows:

13

14 THE INTERPRETER: The first person to testify  
15 is Irene Cruz, spelling I-R-E-N-E, C-R-U Z.

16 MS. CRUZ: First of all, good evening. I want  
17 to testify that, yes, it is true what Mr. Cruz said,  
18 that the letters that we received, first of all, they  
19 were all in English and we did not understand them. I  
20 was able to understand because my son explained to me  
21 what they were about. But you can understand that he's  
22 still young and he cannot, he cannot understand exactly  
23 what the letters are about.

24 And I want to ask if the members of the City  
25 of Seatac, if they asked themselves how much this could



hurt us, that we'd be moved from our houses, from the clinics that are near us, away from our schools, our children's schools, or our jobs. What impact could this have on the older people that live in the community?

5 Personally I have a child with autism. And  
6 the clinic -- well, it was very difficult for me to find  
7 a clinic to take him to his therapies. If we move now,  
8 it would be very difficult for me to find another clinic  
9 nearby. Or for my work, I could end up out of work  
10 because of this. That's all I wanted to say.

11 THE HEARING EXAMINER: Thank you, Ms. Cruz.

12 THE WITNESS: Thank you; thank you.

17 LUIS MORENO

18 sworn as a witness by the hearings examiner,

19 testified as follows:

21 MR. MORENO: My testimony is about the  
22 relocation plan and the open houses that the hotel made.  
23 At no time did I receive a paper asking for my  
24 information about my mobile home. Also the relocation  
25 plan, they sent it late. It arrived on the 1st or the



1 3rd of November. And the appeal date expired on  
2 October 31st. At no time was I notified of that.

3 And when they came to personally give the  
4 relocation plan, they just put it up with a piece of  
5 tape and never knocked on the door. And it was in a  
6 different person's name, the previous owner.

7 And I'd also like to add that -- it's a bit  
8 separate from the relocation plan. But I bought my  
9 mobile home from Mr. Park about 3 1/2 or 4 years ago.  
10 And he knew at that moment when he sold it to me, in the  
11 case that the park were to be closed, the mobile home  
12 that he sold to me would not be able to be moved. And I  
13 paid him 8,300 for it. It was destroyed. I spent  
14 nearly \$20,000 repairing it. I just finished it last  
15 year, 2016, the month of -- around May.

16 And that was all I wanted to talk about, that  
17 this is injustice.

18 THE HEARING EXAMINER: Thank you, Mr. Moreno.

19 THE INTERPRETER: Next, your honor, we have  
20 Martha Zamora.

21 THE HEARING EXAMINER: Could you spell the  
22 last name, the names there for me.

23 THE INTERPRETER: Yes. The spelling of the  
24 name is Martha, M-A-R-T-H-A. The last name, Zamora,  
25 Z-A-M-O-R-A.



1

2 MARTHA ZAMORA

3

sworn as a witness by the hearings examiner,

4

testified as follows:

5

6 THE WITNESS: Now, I'm here to talk about the  
7 relocation plan that was presented by the owner, which I  
8 didn't understand completely because the majority of the  
9 plan was in English. The two meetings that we had with  
10 the relocation specialist did not provide us with enough  
11 clear information because the supposed interpreter did  
12 not translate and did not speak Spanish well.

13 At said meetings they never informed us that  
14 they were doing an inventory nor what its purpose was.  
15 Also they never told us that we could or that we had the  
16 right to appeal said plan. Nor did they ask us where we  
17 would like to live. And they didn't take into account  
18 how this would impact our lives, seeing how the majority  
19 of us that live at Firs are all family members. In that  
20 way, we all support each other.

21 And my case and in many others, where we have  
22 chronic diseases, I've spent weeks hospitalized. And  
23 thanks to the support of my family members, my children  
24 are able to continue with their lives normally. My  
25 daughter doesn't lose -- doesn't miss class at her



1 school, Madrona. And my son is able to stay with people  
2 we trust and people that are safe.

3 Personally I believe this plan didn't take  
4 into account the impact and how this would affect our  
5 daily lives. They never asked us where we wanted to  
6 live. And well, thank you.

7 THE HEARING EXAMINER: Thank you.

8 THE INTERPRETER: This is Leticia Vidales,  
9 L-E-T-I-C-I A; last name, V-I-D-A-L-E-S.

10

11 LETICIA VIDALES

12 sworn as a witness by the hearings examiner,  
13 testified as follows:

14

15 MS. VIDALES: My name is Leticia Vidales  
16 Gomez. On May 14th, at the open house, they gave us a  
17 paper and told us that it was to mark down our  
18 attendance. And at no time did they tell us that it was  
19 for relocation.

20 Personally, my family will be affected because  
21 there are several of us in our home, those that are  
22 going to school. And moving would cause us several  
23 problems. For example, our jobs would be very far away  
24 from us, and our schools. This would make my youngest  
25 daughter have to start over from zero at a new school.



1                   For example, an example would be one of my  
2 daughters is in high school. This is her last year.  
3 And, after graduating, she'll be going to university.  
4 If we move, it would depend on the distance as to which  
5 school would be best. And it would depend on the  
6 financial assistance we'd be able to give her with her  
7 school expenses.

8                   There's a lot of confusion with the relocation  
9 because they haven't given us the correct information  
10 because the information is in English and not all of us  
11 speak English. Our children speak English. But they  
12 don't know how to translate it.

13                   And now at no time was there someone that went  
14 personally to my house to give me the correct  
15 information about what relocation means. And this is  
16 having such an affect on us, to me, my family, and all  
17 the families that live at Firs Mobile Home Park. That's  
18 all I have to say. Thank you.

19                   THE HEARING EXAMINER: Thank you, Ms. Vidales.

20                   THE INTERPRETER: This is Rosa Isela Delgado,  
21 spelling R-O-S-A; second name, I-S-E-L A; last name  
22 D-E-L-G-A-D-O.

23

24

25



1

2 ROSA ISELA DELGADO

3

sworn as a witness by the hearings examiner,

4

testified as follows:

5

6 MS. DELGADO: My name is Rose Isela Delgado.

7 I'm a resident of Firs Mobile Home Park. I have two  
8 daughters. One of them goes to Madrona Elementary  
9 School. And the notice of the park's closure affects us  
10 all due to the financial situation not being good at  
11 this time to be able to relocate ourselves somewhere  
12 else.

13 In our house, our first language is Spanish.  
14 And I have not had all the information necessary to  
15 understand the park owner's plans. My daughter refuses  
16 to change school and leave her teachers and friends. I  
17 wouldn't like to have to relocate myself due to the  
18 investment made in our houses, thinking of having  
19 something to offer and a future for our kids. Thank  
20 you.

21 THE HEARING EXAMINER: Thank you.

22 THE INTERPRETER: Saul Garcia, spelling  
23 S-A-U-L; last name Garcia, G-A-R-C-I-A.  
24  
25



1

2 SAUL GARCIA

3

sworn as a witness by the hearings examiner,

4

testified as follows:

5

6 MR. GARCIA: Well, I'm here for the same  
7 reason as all of my other companions. About the letters  
8 that they're talking about, I did not receive any. At  
9 that time the mail had been destroyed, and it was being  
10 stolen. And just one letter that I did receive, I did  
11 not receive it. It was just in front of my house.

12 And also I'm doing very poorly because they're  
13 saying that they're going to take away our houses.  
14 They're not just moving them. They said they were going  
15 to give 12,500 if it was a double. And the singles were  
16 7,500. But we weren't going to see any of that money.  
17 They were going to use it to demolish them. That means  
18 they are just going to kick us out of there. That's it.  
19 That's all.

20

THE HEARING EXAMINER: Thank you, Mr. Garcia.

21

THE INTERPRETER: Your honor, could the  
22 interpreter ask for a rest?

23

THE HEARING EXAMINER: Sure. Why don't we  
24 take a few minutes.

25

(Recess taken.)



1                   THE HEARING EXAMINER: If we could find our  
2 seats, we'll go ahead and reconvene.

3                   Do you want to call our next witness?

4                   THE INTERPRETER: Yes, your honor. I believe  
5 we do have more one witness who will be testifying in  
6 English, Ms. Patsy Ware.

7

8                   PATSY WARE

9                   sworn as a witness by the hearings examiner,  
10                   testified as follows:

11

12                   THE HEARING EXAMINER: Could you please state  
13 your name for us, please.

14                   MS. WARE: My name is Patsy Ware. That is  
15 P-A-T-S-Y, W-A-R-E. I need to taken my glasses off to  
16 read. Most people have to put them on to read.

17                   THE HEARING EXAMINER: You and I are alike.

18                   MS. WARE: Good evening, Mr. Hearing Examiner.  
19 My name is Patsy Ware, and I'm a resident of the Firs  
20 Mobile Home Park and have resided there for almost 46  
21 years.

22                   I chose mobile home living because it was  
23 affordable for my budget and was close to my job. My  
24 last employment was at Madrona Elementary, right across  
25 the street from my home, saving me from a long commute.



1                   The first two years of my day consisted of  
2 spending it in a welcome room. This consisted of  
3 spending time with students new to our district. I've  
4 seen how it affects children's, starting a new school:  
5 Lack of attention, loss of sleep, low appetite, a new  
6 teacher, loss of school friends, and depression. It  
7 becomes a major challenge in their young lives. You see  
8 the agony in their little faces.

9                   On July 29th, we had a fire that destroyed  
10 several homes, displacing these families and forcing  
11 them to find affordable housing. They lost all their  
12 possessions and many cherished items. The children had  
13 to change schools. These families, having lost all of  
14 their possessions, family heirlooms, and treasured  
15 items, now having to start all over.

16                   The residents of the park are all low income.  
17 Some homes have disabled children. And we have some  
18 disabled seniors. Many families came to America to  
19 provide a better life, a safe environment, and a good  
20 education. We take pride in owning our homes. Many  
21 have made vast improvements, spending lots of hours and  
22 money, now knowing they could be demolished.

23                   The relocation committee supplied a list of  
24 one-bedroom apartment in the area for \$900 or more per  
25 month. This will not accommodate a family of four or



1       five. Now, we have an environmental issue. Many of the  
2       homes are older than 1976 models and have asbestos.  
3       This is causing great concerns for our land fills.

4               Please, for just a moment, walk in our shoes.  
5       You're so proud to have bought your home. You made many  
6       improvements, using many hours of your time and your  
7       hard-earned dollars. Your family has adjusted, and your  
8       children are very happy in school. Suddenly you learn  
9       all of this will change. Everyone is faced with the  
10      necessity to start all over again.

11              The options you are given are far beyond your  
12      reach. This is causing unrest in your home,  
13      uncertainty. And the thought of homelessness is  
14      foremost in your mind. This is not something our  
15      beloved city can handle. Seattle is dealing with that  
16      issue now. On Tuesday, The Seattle Times printed an  
17      article, which I have, regarding space available for  
18      homeless residents living in RVs. Can our city handle a  
19      situation such as this? In my opinion, the answer is  
20      no.

21              We love living here because of the diversity.  
22       Many residents have jobs in the area, and they shop  
23       locally and pay their property taxes. I took it upon  
24       myself to look for space in a mobile home park in the  
25       area. There's nothing available. The choice given to



1 us was Clark or Kitsap County, not an option for many of  
2 us.

3 We were never notified by the city regarding  
4 the change of zoning from residential to commercial --  
5 absolutely nothing from the planning department. I  
6 worked almost 20 years in high-rise hotel management.  
7 We were part of a worldwide hotel chain. In my opinion,  
8 we have a sufficient number of hotel and motel rooms in  
9 our city. Business fluctuates with the seasons. I  
10 recall many weeks of closing several floors of a  
11 six-story hotel for lack of business.

12 Since all of this business of closing the park  
13 started, I've had the opportunity of meeting so many  
14 wonderful families in the park. They are hard working,  
15 very giving, and generous people. Please, we are asking  
16 your help in preserving our homes.

17 When you move a mobile home, everything must  
18 be packed securely. When you arrive at your  
19 destination, many things are damaged or destroyed. I've  
20 been through this before.

21 I know I am a firm believer in helping my  
22 fellow mankind. My motto is: People first, profit  
23 second. On behalf of the Firs mobile home families,  
24 think you for your time.

25 THE HEARING EXAMINER: Thank you, Ms. Ware.



1 THE INTERPRETER: Maria Anita Brito. The  
2 spelling should be M-A, space, A-N-I-T-A, last name  
3 B-R-I-T-O.

4

5 | MARIA ANITA BRITO

6 sworn as a witness by the hearings examiner,

7 | testified as follows:

8

9 MS. BRITO: Good evening. My name is Anita  
10 Brito. Today I'm here to share my experience with you.  
11 But not without first thanking you for giving me the  
12 opportunity to speak today.

13 As you already know, this problem is not just  
14 affecting my family and myself but rather all affecting  
15 all of the residents at Firs. As you already know,  
16 we're being evicted from our homes by Mr. Park.  
17 Mr. Park is the landowner, and he wants to evict us.  
18 Unfairly. We know that he's the owner of the place.  
19 Either way, this does not take away the fact that this  
20 is an injustice, what this man is committing against us,  
21 the residents of Firs.

22 I live in the community of Firs for almost 10  
23 years. We've been very happy living there. We invested  
24 our capital in buying our house. Aside from that, we've  
25 renovated it over the passage of the years so that it



1       would be in better condition so that our children live  
2       healthfully. It's not fair that Mr. Park wants to evict  
3       us from our homes.

4               Mr. Park doesn't have the least idea of the  
5       problem that's so big that he's caused us. This has  
6       caused us a lot of stress to all of the people that  
7       reside at Firs. We're desperate from thinking where  
8       we're going to go live. We're hard working people. But  
9       we don't have sufficient resources to move to another  
10       place, seeing how rents are too high. And nor is it  
11       easy to find a different place.

12               For older people that live there, this would  
13       be very difficult, difficult to move to a different  
14       place. Taking into account the help that they receive,  
15       wouldn't be enough for them to do so or to survive  
16       somewhere else.

17               My children have also been affected. They're  
18       very worried. They go to Madrona the school named  
19       Madrona that's very near our house. I don't want to  
20       even imagine the problem that this would cause for them.  
21       It wouldn't be easy to incorporate themselves in another  
22       school. They receive special education. My children  
23       have been diagnosed with autism.

24               We would also be affected because my work is  
25       very nearby. If we move to another area, it would be



1 complete chaos. My husband doesn't drive for health  
2 reasons. He works in the Central Seattle area. But  
3 thanks to the fact that we have the light rail here  
4 nearby, this makes our lives a little bit lighter and  
5 the same as many other people that work in that same  
6 area and don't have to worry so much about public  
7 transportation seeing how everything is very accessible  
8 here in the City of Seatac.

9 For that reason we want to continue to be part  
10 of this beautiful city. That's all I have to say.  
11 Thank you very much.

12 THE HEARING EXAMINER: Thank you.

13 THE INTERPRETER: This is Guadalupe Rodriguez.  
14 The spelling is G-U-A-D-A-L-U-P-E; last name Rodriguez,  
15 R-O-D-R-I-G-U-E Z.

16

17 GUADALUPE RODRIGUEZ

18 sworn as a witness by the hearings examiner,

19 testified as follows:

20

21 MS. RODRIGUEZ: My name is Guadalupe. I'm  
22 here to testify about the letters that arrived at our  
23 homes. In particular in my case, those letters that  
24 arrived at my home, well, we didn't understand anything  
25 of them because they were in English. It's just my



1       husband and I. And, well, neither of us understand the  
2       English language.

3               And also I want to testify that there have  
4       been documents that we've received by mail. And  
5       unfortunately my mail is opened due to the fact that the  
6       owner never pays any attention to the parking lot. Of  
7       course they've stolen cards from us and done several  
8       things with them. And this is just a sign that the  
9       owner doesn't pay attention.

10              In fact in the parking lot, there's a hole  
11       that never -- that has never been filled in. And always  
12       when it rains, one can't even get by. In fact, the  
13       children sometimes have to jump over some plants  
14       sometimes to be able to go to school because the owner  
15       hasn't paid any attention to this.

16              And even that being the case, we decided to  
17       stay in the park because we all live there and we  
18       believe that we're happy to live there. And I simply  
19       want us to be paid attention to a little bit and paid  
20       attention to how we feel because they want to kick us  
21       out of our homes. Thanks.

22              THE HEARING EXAMINER: Thank you  
23       Ms. Rodriguez.

24              THE INTERPRETER: This is Maria Del Refugio  
25       Rodriguez. The spelling is M-A-R-I-A, space, D-E-L,



1 space, R-E-F-U-G-I-O; last name Rodriguez,  
2 R-O-D-R-I-G-U-E-Z.  
3

4 MARIA DEL REFUGIO RODRIGUEZ  
5 sworn as a witness by the hearings examiner,  
6 testified as follows:  
7

8 MS. RODRIGUEZ: Good evening. My name is  
9 Maria Rodriguez. I'm here to give my testimony about  
10 Firs Mobile Homes. One day, after coming back to to  
11 pick up my daughter from school, I saw a car parked in  
12 the middle of the street and a man with a camera and a  
13 tripod and a young man with a group of papers in his  
14 hand.

15 When they came -- when I arrived at home, I  
16 found some papers stuck to the door of the home. I left  
17 them there thinking that it was advertising from some  
18 business. And I didn't think it was very important.  
19 Some days went by, and we realized that these papers  
20 were the relocation plan.

21 And I thought relocation? Maybe that means  
22 that we're here and they're going to move us to a  
23 different space, somewhere else. And once that got my  
24 attention, I started to flip through it. And read, was  
25 able only to understand some parts. And then after



1 looking at it more closely, I could only really look at  
2 is because it wasn't really understandable. Maybe only  
3 30 percent of the total was.

4 And I think is that that plan is not  
5 functional for us. My family and I spoke about it. And  
6 we think that this is racism on Mr. Park's part and also  
7 on behalf of the City of Seatac. I think that's it.  
8 That's because we're an almost completely Latino  
9 population. We feel they're not respecting our rights  
10 if it is that we have them. I don't know what to think.

11 I start thinking when my kids go to school and  
12 my husband goes to work, what would you do if you were  
13 to receive such a notice, that your houses are going to  
14 be demolished? And I start to think that we're people  
15 of low income. We have only my husband's salary.

16 I think what are we going to do? Where are we  
17 going to take our children to live because they are our  
18 main concern. Talking about them a bit, and they, at  
19 the their young age, are very worried about where  
20 they're going to go live. Do you know that my daughter,  
21 who's only six years old, and my step-daughter who's  
22 seven asked for Christmas for them to not take our house  
23 away?

24 And they are very, very worried. In fact, my  
25 daughter is saving up quarters that she finds to look



1 for a place to live. And she says all the time, Where  
2 are we going to go live? She's also worried because the  
3 school that she's going to, they're -- she receives  
4 special education. And she says, If I were to go to  
5 another school, they won't give me the education that I  
6 need.

7 My 15-year-old son is also very worried  
8 because he's made a lot of plans with his teachers for  
9 the next two years. He has plans to go to college after  
10 high school. And he says that, if we move, maybe he  
11 won't be able to get that help from the school. And he  
12 says that he will miss a lot of opportunities if we  
13 change schools.

14 Finally, sirs, I ask you in the name of all of  
15 these people and in my name as well to take into  
16 consideration our needs and help us with an effective  
17 relocation plan, that it be functional for all of us.  
18 And please, put yourselves, at least for a moment, in  
19 our shoes. Thank you.

20 THE HEARING EXAMINER: Thank you.

21 THE INTERPRETER: I have three more names on  
22 the list. This is Hugo Zamora. The spelling H-U-G-O;  
23 last name Zamora, Z-A-M-O-R-A.

24

25



1

2 HUGO ZAMORA

3

sworn as a witness by the hearings examiner,

4

testified as follows:

5

6 MR. ZAMORA: Good evening. My name is Hugo  
7 Zamora. I, like all of the other residents of Firs,  
8 we're worried about everything that's happening. In the  
9 first place, because, since the beginning, all of the  
10 information we've been provided was in English. Many of  
11 us do not speak English. And this was a complete, huge  
12 confusion for all of us. Okay?

13 In the first place, because some people talked  
14 about \$7,000 and talked about \$12,000. But in reality,  
15 we didn't know where this money came from or what this  
16 money was for. Until later, we found out that the  
17 \$7,000 was for the demolition of the houses. And the  
18 \$2,000 was an offer that the owner was making to us.

19 And at that moment, when I found out about all  
20 of that, I felt like they were making fun of us. Why?  
21 Because I think that we have a home that costs more than  
22 \$2,000. Not just that, all of us invested in remodeling  
23 these houses somewhat. And we didn't spend 5- or  
24 \$6,000. Many times many of us spent more than 15- or  
25 \$20,000. So receiving a notification that you would be



1 given only \$2,000 for your home is like a slap in the  
2 face. It's like making fun. It's completely  
3 ridiculous.

4 Another thing, too is the relocation that they  
5 proposed us was not completely clear or is not clear.  
6 They simply told us that there were possibilities that  
7 we could be sent more outside the city or to another  
8 county. And that was all. We didn't have anything  
9 clear in Spanish. And this whole process, the majority  
10 has been in English. So this caused complete confusion.  
11 That's all I have to say.

12 THE HEARING EXAMINER: Thank you Mr. Zamora.

13

14 EARL GIPSON

15 sworn as a witness by the hearings examiner,  
16 testified as follows:

17

18 MR. GIPSON: I have been here before.

19 THE HEARING EXAMINER: I need you to state  
20 your name for the record.

21 THE WITNESS: Earl Gipson, City of Seatac.

22 Mr. Hearing Examiner, I've been before you in  
23 different situations, going against the city. One thing  
24 I can say, the difficulties they've had with the city  
25 have nothing to do, it had nothing to do with racism.



1 It is inappropriate in this venue to even make those  
2 charges. (Inaudible) dealt with that way, it probably  
3 would have been me. (Inaudible) proceedings in any  
4 regard. So I do object that even be brought into the  
5 discussion. Thank you.

6 THE HEARING EXAMINER: Thank you, Mr. Gipson.

7 THE INTERPRETER: This is Stephanie Ruiz.

8 MS. RUIZ: Good evening.

9 THE HEARING EXAMINER: I need you to --

10 MS. RUIZ: My name is Stephanie --

11

12 STEPHANIE RUIZ

13 sworn as a witness by the hearings examiner,

14 testified as follows:

15

16 MS. RUIZ: I'm a resident of the mobile home  
17 park, Firs, for 11 years now, with my two daughters. I  
18 received a notice of the May meeting taped to my door.  
19 I do not recall who it was from. But the letter was  
20 notifying us of the park closure and that we would have  
21 a meeting to ask questions regarding the closure of the  
22 park. I attended the meeting. And at the meeting we  
23 were told that the would contact us to have a one-on-one  
24 with each family. Until this day, that has not happened  
25 for myself.



1                   We are approximately 70 families that will be  
2 losing our homes. And I believe the City of Seatac has  
3 plenty of hotels. And so does Fife, Incorporated. And  
4 I also do not recall ever giving my information, age,  
5 income, my cost of living at the park to anyone at that  
6 meeting. I was under the belief that that meeting was  
7 just to ask questions regarding the relocation plan.

8                   I really only attended the meeting on  
9 May 14th. I did not assist the meeting on July 2016,  
10 which it only came to my attention today that there was  
11 such a meeting. So I never met with any member of the  
12 City of Seatac. I work as an interpreter. So when I  
13 was at the May meeting, I can also understand why my  
14 neighbors had such a hard time understanding the  
15 interpreter, because her Spanish was not that good.

16                   I live in the Firs Mobile Home for 11 years  
17 with my two daughters who attend Madrona Elementary.  
18 I'm a single mom. And it would be very difficult for me  
19 to find a home where I would have the neighbors that  
20 would help me with childcare, as I have help from the  
21 people who live around me and support me. So that's all  
22 I have to say. Thank you very much.

23                   THE HEARING EXAMINER: Thank you.

24                   THE INTERPRETER: Mr. Hearing Examiner, those  
25 all of the names that the interpreter has on the list



1 for people that had marked themselves down as wishing to  
2 testify. Would you like me to ask the gallery if  
3 there's anyone else?

4 THE HEARING EXAMINER: Why don't we take about  
5 five minutes. Then, if you could, just ask. If anyone  
6 wishes to testify, maybe they could talk with  
7 Mr. Barraza.

8 THE INTERPRETER: Excellent. Thank you, Your  
9 Honor.

10 (Recess taken.)

11 THE HEARING EXAMINER: We will go ahead and  
12 convene the hearing. And both Mr. Phipps (sic), our  
13 interpreter, and Mr. Barraza advised that they not have  
14 been approached by anyone else that wants to speak. So  
15 I will just ask the city if the city has anything it  
16 wishes to present.

17 MS. BARTOLO: Yes, Mr. Hearing Examiner. I  
18 have some closing remarks if you're ready for those.

19 THE HEARING EXAMINER: I was -- yeah. I was  
20 going to find out if you had any additional evidence or  
21 testimony you want to present.

22 MS. BARTOLO: With respect to that, I would  
23 like to keep the hearing open so that we would have an  
24 opportunity to respond to what is now marked as  
25 Exhibit 8, which is the letter that was handed to you



1 this evening.

2 THE HEARING EXAMINER: Do you have any  
3 objection to that Mr. Barraza? Or do you want to  
4 respond to it yourself?

5 MR. BARRAZA: I guess I would like  
6 clarification on what we mean by keeping it open.

7 THE HEARING EXAMINER: I think what  
8 Ms. Bartolo was referring to is that she would submit  
9 something to me in the writing, responding to the  
10 letter.

11 MR. BARRAZA: To the extent that you would  
12 keep it open to allow some written submissions, I would  
13 just like to clarify for the public that they, too,  
14 could weigh in and maybe provide a date certain where  
15 the comment period closes. But I otherwise concur with  
16 the idea of keeping it open to provide some supplemental  
17 written responses by the interested parties.

18 MR. OLSEN: May I speak to that as well?

19 THE HEARING EXAMINER: Yes, Mr. Olsen.

20 MR. OLSEN: Thank you. I think before leaving  
21 the record open, there should be an opportunity to  
22 review why we would leave it open and whether, if we  
23 leave it open, would it be to provide relevant evidence  
24 that would help the hearing examiner make a decision as  
25 to this appeal.



1                   And in that regard, there are two potential  
2 areas that the hearing examiner would keep the record  
3 open. One has to do with the Exhibit A letter from the  
4 tenants union. It addresses impact to the tenants.  
5 We've heard a lot of testimony about impact. Impact is  
6 not one of the elements of a relocation plan. In that  
7 regard, if we're keeping the record open to provide more  
8 evidence of impact, I don't believe it would help the  
9 hearing examiner determine whether the six elements of a  
10 relocation plan were in this relocation plan.

11                  The other area has to do with the new  
12 testimony and evidence that was offered just today  
13 having to do with whether this SEPA checklist had been  
14 sent to the tenants. That wasn't a basis of appeal in  
15 the notice of appeal or the supporting materials that  
16 identified the specific reasons for the appeal or the  
17 brief that was offered on behalf of Mr. Medina as to the  
18 issues on appeal.

19                  Still, though, that issue itself also begs a  
20 review regarding relevance because this appeal, under  
21 the statute, is not an appeal of the decision of the  
22 director. And that decision in the statute is the  
23 decision to approve or disapprove of the plan.  
24 Specifically, the ordinance provides that "The  
25 department shall review the relocation plan to ensure



1 compliance with requirements of subsection H.1."

2 There are two sections to the relocation  
3 ordinance. The first section is subsection H.1 that  
4 deals with the required elements of the mobile home part  
5 relocation plan. That's what was appealed. The second  
6 section, subparagraph H.2 is titled "Required Process."  
7 And there are a series of steps that it provides. But  
8 the appeal right has to do with the simple issue of are  
9 the six elements of the relocation plan required by the  
10 objected are ordinance in this relocation plan.

11 I don't think we need to leave the record open  
12 unless it addresses one of those six elements. The SEPA  
13 checklist plan isn't one of six the elements of a  
14 relocation report plan. Impact, as indicated in  
15 Exhibit 8, is not one of the six elements. So before  
16 the record is left open, I would request that the  
17 court -- the hearing examiner consider the issue of  
18 relevance and whether -- what benefits could come of  
19 leaving the record open in that regard.

20 THE HEARING EXAMINER: Do you have anything  
21 you want to add to that, Ms. Bartolo?

22 MS. BARTOLO: I'll think I'd like to hear what  
23 you have to say on that, Mr. Hearing Examiner.

24 MR. BARRAZA: I do something.

25 THE HEARING EXAMINER: Okay.



1                   MR. BARRAZA: I would just like to point out  
2 that the municipal code in section H.1, subsection 3  
3 states that the purpose of the inventory -- I'm  
4 paraphrasing. The purpose of the inventory is to assess  
5 the impact of the proposed closure. And that is in  
6 section 1. The impact is also referenced in section 2,  
7 paragraph F: "The director of the department shall base  
8 their decision on the relocation plan based on the  
9 impacts of the proposed action."

10                  To the extent that impact is not defined as  
11 one of the six elements, it is threaded throughout this  
12 entire code. And it is one of bases of the appeal that  
13 the impact was not properly assessed. And if I'm not  
14 mistaken -- I did prepare it. I'm relatively certain  
15 that the SEPA checklist was discussed as part of our  
16 initial appeal. So I do feel like it is relevant.  
17 Thank you.

18                  THE HEARING EXAMINER: Yes.

19                  MS. BARTOLO: Thank you. I would just like to  
20 say there's been some testimony, there's been some, what  
21 appears to be some argument on this issue. And  
22 Mr. Pilcher testified that he posted that notice. I  
23 would like to point out there's another statute on SEPA,  
24 on the public notice process. And that's 16A.23.090.  
25 It says you must post the subject property and put it in



1 the newspaper. Mr. Pilcher testified that he did in  
2 fact did do that.

3 There was also some question, I think, that  
4 came up about who has the responsibility to send to the  
5 tenants the SEPA checklist.

6 THE INTERPRETER: Slow down a little.

7 MS. BARTOLO: I'm sorry. You know, I'm sorry.  
8 Take a breath. Breathe. Let me know when you're ready.

9 THE INTERPRETER: I'm ready. Go ahead.

10 MS. BARTOLO: I was on a roll.

11 And in the code it says that "The mobile home  
12 park owner shall complete a SEPA checklist for the  
13 relocation plan. A copy of the SEPA checklist shall be  
14 sent to each tenant of the mobile home park." So on  
15 this point I'm arguing, if it is relevant, it is the  
16 responsibility of the park owner to do that.

17 Mr. Pilcher has fulfilled his obligations by posting on  
18 the property and in the newspaper under 16.A.23.090.  
19 That's all.

20 THE HEARING EXAMINER: Well, the SEPA issue, I  
21 saw that section on the SEPA issue today when I was sort  
22 of finalizing my preparation. What I think I would like  
23 to do in this case is to leave the record open. I know  
24 that there are a lot of people here who could have  
25 testified but didn't. Maybe their testimony would be



1 cumulative, maybe not.

2                   But what I would like to do here is leave the  
3 record open for one week for people that would like to  
4 submit written comments about the appeal. Those  
5 comments should be sent to the city. Then, what I would  
6 do is ask the city to send those, at the end of one  
7 week, to send those to Mr. Mr. Barraza and Mr. Olsen who  
8 could then respond to the letters and then collect that  
9 all in one package and send it to me.

10                  I would appreciate -- and I'm not -- again, I  
11 have not had a chance to research or think about the  
12 SEPA thing. So if you have any case law or any  
13 citations or whatever on that issue, I would appreciate  
14 it.

15                  The other question that I do have for the  
16 city, I know that it's the city's position and it's the  
17 property owner's position that what we are concerned  
18 here with is the appeal of the relocation plan. And I  
19 know that the city issued a certificate approving the  
20 plan. And then the city steps back and says the  
21 procedures following that approval are beyond the scope  
22 of the appeal. In other words, they are not relevant to  
23 the approval of the plan.

24                  But at the same time the ordinance seems to  
25 say that the city has to issue a final approval of the



1 reclamation (sic) plan. In other words, they find that  
2 the plan has been finally accomplished. And so I guess  
3 my question is then does the city retain jurisdiction?  
4 Or is the city concerned with things that happen after  
5 the plan to the extent that the city has to issue a  
6 final approval or final what you would called an  
7 occupancy permit maybe, but a final determination that  
8 the -- that everything was done correctly? So I would  
9 appreciate, say, your addressing those issues in your  
10 response.

11 MS. BARTOLO: Thank you. We do have a  
12 response to that. We will submit that. Can you go over  
13 the time lines again for -- or do you want to put that  
14 in --

15 THE HEARING EXAMINER: No, no, no. I'd rather  
16 do it now. One week for everyone that would like to  
17 comment to submit their comments to the city. That  
18 would include Mr. Barraza and Mr. Olsen and Ms. Bartolo  
19 on the Exhibit 8. Then -- well, I guess you could  
20 combine those. I don't see why you need to have two  
21 separate things.

22 After the week, then, the city would take all  
23 of the comments it receives and send those to Mr. Olsen  
24 and Mr. Barraza. They would then have -- or they and  
25 the city would then have an additional week to comment.



1 And then they would send those comments to the city.  
2 And then the city would put all of the comments into one  
3 package and send them to me at one time.

4 So then it would be next Thursday is -- the  
5 close of business next Thursday would be the cutoff line  
6 for any comments from residents and others. And then  
7 the following Thursday night or Thursday at the close of  
8 business, that would be the cutoff for comments from the  
9 city and the appellant and the property owner.

10 And I know that you're ready to make comment,  
11 closing comments. But if you would rather we include  
12 those closing comments in your written information,  
13 would you prefer to do that?

14 MR. OLSEN: Agreed.

15 MS. BARTOLO: Is the electronic submittal  
16 acceptable?

17 THE HEARING EXAMINER: Yes.

18 MR. BARRAZA: I would like to make the closing  
19 comments here tonight. I will probably also provide  
20 something in writing. But I would like to summarize the  
21 points.

22 THE HEARING EXAMINER: Are there any other  
23 questions that you counsel have before we then turn it  
24 over to Mr. Barraza?

25 MR. OLSEN: No.



1 THE HEARING EXAMINER: Okay, Mr. Barraza.  
2 MR. BARRAZA: Thank you Mr. Hearing Examiner.  
3 I'm here this evening on behalf of Mr. Crisanto Medina  
4 and the residents of the Firs Mobile Home Park, acting  
5 through their Homeowner Association, to request that you  
6 overturn the City of Seatac's decision to approve the  
7 relocation plan that was formulated and submitted by  
8 Fife Motel, Inc.

17                   These families matter because they're part of  
18 the fabric of our community. These families matter  
19 because, legally speaking, they are not just mere  
20 tenants. The Washington constitution provides expansive  
21 property rights. And Washington law has long recognized  
22 the property rights inherit in possession.

23 The mobile home lots, which imply or require a  
24 one-year lease, reflect the unique tenancy of residents  
25 that live in mobile home parks. These families are

1 entitled to a one-year relocation. RCW 6.13.010  
2 recognizes the homestead rights of the families living  
3 in manufactured housing. And Seatac's own municipal  
4 code provides this requirement to formulate a relocation  
5 plan. And this law that the city passed recognizes the  
6 unique rights of the these families.

7                   This code requires a robust, good-faith  
8 dialogue between the owner and the residents to develop  
9 a useful and accurate plan. If the owner has the right  
10 to redevelop his property, so, too, do these families  
11 deserve due process when their property rights are being  
12 threatened. The city did not dot its Is or cross its  
13 Ts. Its final approval letter didn't even reference the  
14 correct code.

15                  The testimony of the residents tonight  
16 illuminates the fact that the city failed to comply with  
17 its ow ordinance. There's no evidence in the record  
18 that the SEPA checklist was served or that it was served  
19 in a timely fashion in the language that the families  
20 could understand so that they could exercise their  
21 rights to appeal this land use decision.

22                  There's no verification in the record that the  
23 May 8th letter was served on the residents. There's no  
24 evidence in the record that the city received the  
25 required notice from the owner. The city represented



1 and testified that the city accepted the tenant letter  
2 date May 8th as the notice on the tenants -- as the  
3 notice to the city.

4 There's no dispute that the city failed to  
5 schedule a meeting with the tenants. To the extent that  
6 the July 11th meeting filled the city's requirement, the  
7 owner was arguably acting under color of law when Steve  
8 Pilcher was present.

9 The testimony tonight confirms that the owner  
10 failed to prepare a useful plan. It is unfathomable to  
11 me that all of the inventory data and one-on-one  
12 meetings with nearly 70 families occurred within 14  
13 days. The inventory form was not in Spanish. I believe  
14 that the city acknowledged that in their report.  
15 Similarly, the inventory lacked disclaimers. And the  
16 city, if I'm not mistaken, acknowledged that as well.

17 There was testimony this evening that the plan  
18 contained some information in Spanish. But all the  
19 other evidence or the other information, including  
20 resources for alternative housing was in English. There  
21 was testimony that what was written in Spanish was  
22 either not translated well or not formatted in a legible  
23 manner. The quality of the owner's translator was  
24 inadequate. And that is evidenced by the city's  
25 decision to retranslate of the relocation plan.



1                   There was evidence that their preferences were  
2 not captured. And there was a sense that the owner  
3 failed to engage in a good-faith dialogue. What good is  
4 a Spanish language plan if all of the written  
5 communications issued in the course of developing that  
6 plan were written in English?

7                   The testimony of the families confirmed that  
8 they remain confused, uninformed, and unprepared to  
9 relocate. These families, Your Honor, Mr. Hearing  
10 Examiner, have earned the right to the dignity of due  
11 process when they have contributed so much to our  
12 community and when their property rights are being  
13 threatened.

14                   We don't think it's too much to ask that the  
15 relocation plan approved by the city be rejected and  
16 that the city require the owner to develop a plan in  
17 good faith and in accordance with the principles of due  
18 process. Thank you.

19                   THE HEARING EXAMINER: Thank you, Mr. Barraza.

20                   Ms. Bartolo, do you have anything that you  
21 want to present at this time?

22                   MS. BARTOLO: Yes. I'll just make some brief  
23 comments and supplement the rest in writing.

24                   The first point is Mr. Barraza indicated that  
25 none of the resources were in Spanish. And in fact,



1 Mr. Hearing Examiner, you will see in the plan that was  
2 submitted as part of the appeal, there are resources in  
3 Spanish. That should be -- that would be in the  
4 original appeal, the supplemental documents that were  
5 presented, which is then also part of the staff report  
6 as an exhibit.

7 Mr. Barraza indicates that the city failed to  
8 schedule the meeting. We'd just like to point out that  
9 that may be true as a technicality. However,  
10 Mr. Pilcher testified that the meeting was already  
11 scheduled and he attended. As far as the correct code  
12 or incorrect code, this has been addressed in the staff  
13 report, throughout the documents presented, and the  
14 testimony -- or rather the oral argument of Mr. Barraza.

15 There was a scribner's error. He claims that  
16 that error prejudiced the rights of the tenants. We  
17 submit it did not prejudice the rights of the tenants --  
18 of the residents. Excuse me. They were able to  
19 navigate through this appeal process. And they cited  
20 the correct code.

21 Finally, there's been a lot of testimony and  
22 argument regarding what the requirement is with respect  
23 to translating these documents from English to Spanish.  
24 The code does not require a translation. Yet after  
25 attending the meeting, the city realized the importance



1 of translating the plan in Spanish and proceeded to do  
2 so.

3 In the brief submitted by Mr. Barraza in his  
4 written materials, he relies on Title 6 of the Civil  
5 Rights Act of 1964 to say that the city has this  
6 obligation. We disagree with this analysis. He's  
7 specifically talking about limited English proficiency  
8 which has been addressed in the Title 6 legal manual of  
9 the Civil Rights Division with the United States  
10 Department of Justice.

11 And in this regard, a requirement exists if  
12 there is receipt of federal funding. There is no  
13 federal funding that is part of this plan or relocation  
14 plan. I believe Mr. Barraza may argue that whether you  
15 have federal funding in this project or not, if the city  
16 ever receives federal funding, then it has that  
17 obligation. We do not believe that that is correct.  
18 And the manual, as submitted by the United States  
19 Department of Justice, does not seem to apply it that  
20 way, either.

21 I think that concludes my comments.

22 THE HEARING EXAMINER: Mr. Olsen, do you have  
23 anything?

24 MR. OLSEN: Thank you. I will reserve our  
25 closing remarks for our written materials.



1                   THE HEARING EXAMINER: Thank you.

2                   Mr. Barraza do you have anything further, or  
3 you want to reserve your . . .

4                   MR. BARRAZA: I do not.

5                   THE HEARING EXAMINER: Well, I would just like  
6 to, first of all, thank everyone for coming this evening  
7 and for all the courtesies that you've extended to all  
8 the speakers. There's no noise, confusion, or anything.  
9 And I was able to hear all of the speakers and our  
10 translator very clearly and distinctly. So I really  
11 appreciate that.

12                  And secondly, I would like to thank all three  
13 attorneys for a very fine presentation this evening and  
14 also the courtesies in your questioning of the witnesses  
15 and that types of things.

16                  I guess most of all, I would like to thank  
17 Mr. Phipps (sic) for his hard work. I've had cases  
18 before where we've had interpreters. But they have  
19 never held a candle to what we've heard tonight. So  
20 thank you very much.

21                  MS. BARTOLO: I actually obviously owe him and  
22 apology. I'm so sorry for speaking as fast as I did.

23                  THE HEARING EXAMINER: Anyway, thank you very  
24 much. Drive safely getting home. And we are now  
25 adjourned.



VERBATIM REPORT OF PROCEEDINGS; January 10, 2017

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1 (Hearing adjourns at 8:53 p.m.)

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2 REPORTER'S CERTIFICATE

3

4 I, JACQUELINE L. BELLWS, the undersigned  
5 Certified Court Reporter pursuant to RCW 5.28.010 authorized  
6 to administer oaths and affirmations in and for the State of  
7 Washington, do hereby certify that the foregoing transcript  
8 was transcribed under my direction; that the transcript is  
9 true accurate to the best of my knowledge and ability to  
10 hear the audio; that I am not a relative or employee of any  
11 attorney or counsel employed by the parties  
12 Hereto; nor am I financially interested in the event  
13 of the cause.

14 WITNESS MY HAND AND DIGITAL SIGNATURE this  
15 28th day of March, 2017.

16

*Jacqueline L. Bellows*

17

18

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